IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LORAYA FIELDS-WILLIAMS : CIVIL ACTION

Plaintiff,

: NO. 05-CV-3868

JO ANNE B. BARNHART, : COMMISSIONER OF SOCIAL SECURITY : Defendant. :

v.

ORDER

AND NOW, this _____ day of August, 2006, upon careful review and independent consideration of the parties' cross-motions for summary judgment, Plaintiff's brief, Defendant's brief, and the administrative record; and after careful review of the Report and Recommendation of United States Magistrate Judge Carol Sandra Moore Wells; and no objections having been filed, IT

IS HEREBY ORDERED AND DECREED that:

- 1. The Report and Recommendation dated July 27, 2006, is **APPROVED** and **ADOPTED**;
- 2. The Commissioner's Motion for Summary Judgment is **DENIED**; and
- The Plaintiff's Motion for Summary Judgment is GRANTED IN PART and DENIED IN PART.

IT IS FURTHER ORDERED that the matter is REMANDED to the Commissioner of the Social Security Administration, so that the Administrative Law Judge ("ALJ") can conduct additional proceedings consistent with this Report and Recommendation. Specifically, upon remand the ALJ should (a) determine the true extent of Plaintiff's mental impairment and its impact, in combination with her other impairments, on her ability to perform work activities; (b) allow Plaintiff to update the medical records to establish the severity of her impairments during her period of

disability coverage; (c) assess the impact of Plaintiff's obesity on each physical limitation and make

a proper material finding; (d) reconsider the severity of each of her impairments, both singly and in

combination; (e) reassess and fully explain whether Plaintiff's impairments meet or equal a Listing;

(f) evaluate Plaintiff's Residual Functional Capacity ("RFC") and, if necessary, submit a complete

and accurate hypothetical question to a vocational expert, allowing Plaintiff the opportunity to

respond to the expert's conclusions; and (g) thoroughly explain the new decision.

BY THE COURT:

/S/ Petrese B. Tucker

Hon. Petrese B. Tucker, U.S.D.J.

2